

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

THOMAS H. WILLIAMS

vs.

CASE NUMBER: 5:06-CV-827 (NPM)

CF MEDICAL, INC.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That plaintiff's Motion for Summary Judgment is denied; and further Ordered that defendant's Cross Motion for Summary Judgment is granted as to plaintiff's age discrimination claims and regarding the remaining claim for breach of contract pursuant to New York common law, except that claim is dismissed without prejudice.

All of the above pursuant to the order of the Honorable Judge Neal P. McCurn, dated the 4th day of March, 2009.

DATED: March 4, 2009


Clerk of Court

s/

Joanne Bleskoski
Deputy Clerk